

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEREK GLOVER

,

Petitioner,

20 CIVIL 10359 (JMF)

-against-

JUDGMENT

BRONX SUPREME COURT,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated August 27, 2021, Respondent's motion to dismiss is GRANTED, and the Petition is DISMISSED. If Glover believes that he can address the deficiencies discussed above, and that his claims would be timely because he is eligible for equitable tolling (or otherwise), *see* ECF No. 15, at 12-19 (moving to dismiss the Petition as untimely), he shall seek leave to file an amended Petition **within thirty days of the date of this Memorandum Opinion and Order**, in which case the Court may reopen the case.

Glover has not made a substantial showing of the denial of a constitutional right and, accordingly, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253(c); *see also, e.g., Matthews v. United States*, 682 F.3d 180, 185 (2d Cir. 2012). In addition, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Memorandum Opinion and Order would not be taken in good faith, and *in forma pauperis* status is thus denied. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962; accordingly, this case is closed.

DATED: New York, New York
August 27, 2021

RUBY J. KRAJICK

BY:

Clerk of Court

Deputy Clerk

